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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,764	07/21/1999	GUY NATHAN	871-63	9715

7590 02/27/2003

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EXAMINER

HUYNH, SON P

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 02/27/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/357,764

Applicant(s)

NATHAN, GUY

Examiner

Son P Huynh

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 30 December 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed July 21, 1999 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.
2. Applicant is required to provide a copy of the documents as indicated by a cross line in the IDS for consideration as to the merits.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 11-15 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification

discloses in learning mode, the remote control sends identification code to the reproduction system and the identification code of the remote control is stored in the memory (see page 9, lines 1-25). "Once the remote control code has been stored by a reproduction system, every subsequent time the remote control is used, the operating system verifies the identification code of the remote control unit that has just transmitted a signal containing the stored code. If the two codes are identical the function that corresponds to the code of the pressed key will be implemented. If the two codes are not identical there will be no response (page 10, lines 6-14); and "a second code of a second remote control unit is stored by one audiovisual reproduction system. This second code can be transmitted to each audiovisual reproduction system using the central server and the distribution network to which the audiovisual reproduction system is connected via the telecommunication modem 41 (page 10, lines 19-25). There is nowhere in the specification discloses "the server is operable to send the control code to at least one of the jukeboxes via the distribution network and the at least one jukebox is operable to store the control code for use in comparing the control code sent by the remote control with the control code stored on the jukebox to determine whether or not the jukebox will respond to control codes from the remote control."

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al. (US 5,355,302) in view of Vogel et al. (US 6,151,077).

Regarding claim 11, Martin et al. teaches a jukebox system, comprising:
a plurality of jukebox devices 13, wherein each jukebox device includes a microprocessor 121, a storage device 93 for storing audiovisual information that can be reproduced by the jukebox device in response to user request, an audio system 129 for playing audio, a visual display 125 for displaying video, and a communication system 19 for enabling the jukebox to communicate through an audiovisual distribution network 15; a server (central management system 11) remote to the jukebox device 13 that provides services to the jukebox device 13, wherein the server and the jukebox can communicate with each other through the distribution network 15 (see figure 1). However, Martin et al. does not specifically disclose a plurality of remote control devices for the jukebox devices, respectively, each of the remote control being operable to control one of the jukebox devices when the jukebox device recognizes a control code transmitted from

the remote control, and further wherein the server is operable to send the control code to at least one of the jukeboxes via the distribution network and the at least one jukebox is operable to store the control code for use in comparing the control code sent by the remote control with the control code stored on the jukebox to determine whether or not the jukebox will respond to control codes from the remote control.

Vogel teaches plurality of remote control devices (remote control transmitter 38) for jukebox devices (television receiver 10), each of the remote controls being operable to control one of the jukebox devices when the jukebox device recognizes a control code transmitted from the remote control (ID code), and further wherein the server (the sender of the message and recipient ID code) is operable to send a control code to at least one of the jukeboxes via the distribution network (via network interface 72) (all users of the system are issued their own remote control transmitter, each of which having its own unique ID code—see col. 5, lines 19-42. Therefore, the control code reads on the recipient ID code), and the at least jukebox is operable to store the control code for use in comparing the control code sent by the remote control with the control code stored on the jukebox to determine whether or not the jukebox will respond to control codes from the remote control (see col. 5, lines 44-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martin to incorporate the features as taught by Vogel in order to remotely control the jukebox and prevent unauthorized user.

Regarding claim 13, Vogel discloses remote control transmitter 38 is shown for interaction with a remote control receiver 40 in the television receiver 10. A microcomputer 42 is also shown connected to the remote control receiver 40 and controls the operation of the other elements in the television receiver 10 (see col. 3, lines 55-67). It is obvious that the remote control is operable to activate and deactivate the jukebox device in order to remotely activate/deactivate the jukebox.

7. Claims 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al. (US 5,355,302) in view of Vogel et al. (US 6,151,077), and further in view of Amano (US 4,807,052).

Regarding claim 12, Martin in view of Vogel teaches a system as discussed in the rejection of claim 11. However, neither Martin nor Vogel especially discloses each of the jukeboxes includes a learning mode that enables the control code to be obtained from the remote control and stored on the jukebox.

Amano teaches a television receiver includes a learning mode that enables the control code to be obtained from the remote control and stored on the television receiver (see col. 6, lines 17-col. 7, line 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marin and Vogel to incorporate the feature as taught by Amano in order to stores codes of the remote control for subsequent use.

Regarding claim 15, Amano teaches the learning mode as discussed in the rejection of claim 12. It is obvious that the learning mode is incorporated into an operating system of the television device in order to provide convenience for user to operate the system.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al. (US 5,355,302) in view of Vogel et al. (US 6,151,077) and in view of Nathan (US 6,308,204).

Regarding claim 14, Martin in view of Vogel teaches a system as discussed in the rejection of claim 11. However, neither Martin nor Vogel teaches the remote control is operable to activate and deactivate a payment device on the jukebox device.

Nathan teaches remote control is operable to activate and deactivate a payment device on the jukebox device (see 7, lines 21-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martin and Vogel to incorporate the feature as taught by Nathan in order to remotely activate and deactivate the payment device.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cohen (US 6,198,408) teaches method and apparatus for controlling electrical appliances by remote control transmitters.

Nishio (US 4,905,279) teaches learning functionalized remote control receiver.

Geiger et al. (US 5,081,534) teaches television receiver with remote control system capable of controlling associated peripheral devices manufactured by different companies

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh
February 18, 2003


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600